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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,035	06/18/2001	Ki Seon Kim	2832-0138P	8792
2292	7590	03/15/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			MOORE, IAN N	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,035

Applicant(s)

KIM ET AL.

Examiner

Ian N. Moore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “**traffic control method of a wireless communication method**” of **claim 1** must be shown or the feature(s) canceled from the claim(s). **No new matter should be entered.**
2. The drawings are objected to because there is **a lack of descriptive legends for FIG. 1**.
[37 CFR 1.83, CFR 1.84 [5(e)], MPEP § 608.02(e)]

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract of the disclosure is objected to because it contains the phrase, “**invention**” in lines 2 and 13, which can be implied. Applicant is reminded of the proper language and format for an abstract of the disclosure. Correction is required. See MPEP § 608.01(b).

It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

4. Claim 1 is objected to because of the following informalities:

Claim 1 recites, “a data transmission step for controlling the data transmission according to **a reserve channel permission probability transmitted from a plurality of terminals to a base station**” in lines 13-16. It is unclear whether a plurality of terminals calculates “a reserve channel permission probability” and transmitted to the base station, or base station itself is calculating a reserve channel permission probability. In accordance with the specification, page 10, lines 10-16, base station calculates a reserve channel permission probability and then controls transmission of mobile terminals according to the calculated probability. Applicant is requested to clarify the claim languages in accordance with the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Masui (US006570865B2).

Regarding Claim 1, Masui discloses a traffic control method of a wireless mobile communication, comprising:

a channel allocation step for allocating data transmission/reception channels (see FIG. 2A-B, 3, channel assignment/allocation at BS) to a reserve access channel (see FIG. 2A-B, C, reservation channel 7; see col. 4, line 23-33; 61-67) based on a spreading code method for transmitting reserve packets for channel reservation and traffic channels for transmitting information packets (see col. 4, line 49 to col. 5, line 10; see col. 5, line 50-65; see col. 6, line 16-26; PN/spreading code method channel reservation and traffic channels);

a channel division step for dividing the channels into a plurality of slots (see FIG. 4, divide/deviate/separates the channels into a plurality of time slots) to control all packet transmission for data transmission/reception in slot units (see col. 16, line 19 to col. 7, line 10; to control packet transmission in order to avoid collisions); and

a data transmission step for controlling the data transmission according to a reserve channel permission probability (see FIG. 14A-B; see col. 14, line 50-67; see col. 15, line 26-45; a transmission probability) transmitted from a plurality of terminals (see FIG. 1, Mobile terminals 5a-b) to a base station (see FIG. 1, Bas station BS 4a); see col. 14, line 43-49; see col.

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15, line 1-25; 46-49; base station notifies terminals of information indicate of transmission probability).

Regarding Claim 2, Masui discloses a transmission permission step for transmitting a PN code for transmitting the information packet and slot information to the corresponding terminal, when the base station receives the reserve channel from the terminal (see FIG. 2A-B, 3-4; reply channel 8; BS sends PN code in response channel upon receiver reservation channel 7).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masui in view of Kanterakis (US006717975B2).

Regarding Claim 3, Masui discloses wherein the respective users transmit their reserve packets in one slot in the reserve access channel based on the spreading code method (see col. 4, line 49 to col. 5, line 10; see col. 5, line 50-65; see col. 6, line 16-26).

Masui does not explicitly disclose ALOHA. However, slotted/spreading ALOHA method of detection/avoiding collision is well known in the art. In particular, Kanterakis teaches wherein the respective users transmit their reserve packets in one slot according to the spread ALOHA in the reserve access channel based on the spreading code method (see FIG. 3, spreading generator 327; see col. 4, line 10-20; see col. 7, line 30-55; see col. 10, line 40-67; slotted/spreading

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ALOHA in the spreading code method). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide well known slotted/spreading ALOHA method, as taught by Kanterakis in the system of Masui, so that it would provide a contention based resource allocation and provide efficient method for packet data transfer; see Kanterakis col. 1, line 25-31; see col. 2, line 53-57.

Allowable Subject Matter

9. Claims 4-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

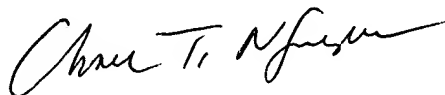
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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